

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**THE M/Y GALACTICA STAR et al.**

**Defendants in Rem**

**Case No. 4:17-cv-02166**

**CLAIMANT LIGHTRAY CAPITAL, LLC'S NOTICE OF WITHDRAWAL OF CLAIM**  
**AS TO THE M/Y GALACTICA STAR**

On December 29, 2017, LightRay Capital, LLC (“Lightray”) filed a claim to all *in rem* Defendant assets in this case. (Dkt. 61.) One of the Defendant assets is the yacht M/Y *Galactica Star*, a 65-meter yacht with International Maritime Organization number 9679830, including all fixtures, fittings, manuals, stocks, stores, inventories, and each lifeboat, tender, and other appurtenance thereto (“*Galactica Star*”).

On May 10, 2018, Lightray entered into a Stipulation with Plaintiff United States. Pursuant to the Stipulation, Lightray agreed to withdraw its claims to the *Galactica Star* with prejudice, withdraw any requests for judicial forfeiture proceedings over the *Galactica Star*, and withdraw any claims against the United States relating to the United States' commencement of forfeiture proceedings against the *Galactica Star*. Pursuant to the Stipulation, Lightray's withdrawal of its claim is not an admission of wrongdoing and is not to be construed as such. Finally, pursuant to the Stipulation, the United States shall be solely responsible for all unpaid or future costs or fees, necessary to maintain, repair, harbor, insure, classify, operate, and transport the *Galactica Star* going forward, subject to removal of an attachment on the yacht in the

Mexican lawsuit of *Urunuela Lopez v. Earnshaw Associates, Ltd. et al.*, No. 603/2017 (Superior Court of Justice, Federal District) (“Mexican lawsuit”). The Mexican lawsuit has since been resolved and the Mexican attachment has been lifted.

NOW, THEREFORE, Lightray respectfully provides notice to the Court that it is withdrawing its claim (Dkt. 61) as to the *Galactica Star* only. Lightray is not withdrawing its claim as to any of the other Defendant assets in this case.

Under the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, no motion appears necessary for a Claimant to withdraw its claim in an asset forfeiture case. Nonetheless, should the Court hold that a motion is required before Lightray can withdraw its claim as to the *Galactica Star*, Lightray respectfully requests that the Court construe this Notice as an unopposed motion to withdraw its claim as to the *Galactica Star*.

Respectfully Submitted,

By: /s/ Lee L. Kaplan  
Lee L. Kaplan  
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LIGHTRAY CAPITAL, LLC

#### **CERTIFICATE OF SERVICE**

I hereby certify that on May 24, 2018, I caused the foregoing document to be served, via CM/ECF, to all counsel of record in this action.

By: /s/ Lee L. Kaplan  
Lee L. Kaplan